



Midpeninsula Regional
Open Space District

R-14-127
Meeting 14-29
October 22, 2014

AGENDA ITEM 4

AGENDA ITEM

Award a Contract for Water Engineering and Consulting Services

GENERAL MANAGER'S RECOMMENDATION

Authorize the General Manager to award a contract to Wagner & Bonsignore Engineers for an amount not-to-exceed \$75,000 to provide water engineering and consulting services regarding District water systems and rights.

SUMMARY

The District requires the assistance of technical experts in water engineering and consulting to more effectively identify, measure, and maintain the water resources present on District lands, and properly report its water use to the State Water Resources Control Board and the San Gregorio Creek Watermaster. Water rights in the State of California is a highly technical and heavily regulated subject area and failure to adequately resource the District's interests could result in restriction or loss of those rights. The General Manager recommends awarding a contract to Wagner & Bonsignore Engineers (WBE) for an amount not-to-exceed \$75,000 to provide the professional services needed to identify, maintain and monitor District water rights in Fiscal Year 2014-15. A mid-year budget adjustment is expected to fund expenses through the end of the fiscal year.

DISCUSSION

The District holds or controls various rights to use the water from creeks, springs, and ponds that are associated with District property. Certain water uses are required to be reported to the State Water Resources Control Board (SWRCB) in order to preserve these rights. Additionally, District staff is required to report water use and/or respond to inquiries from a state-appointed Watermaster in adjudicated watersheds (i.e., San Gregorio, Purisima, and Soquel Creeks).

Due to a combination of factors, including the continuing severe drought and the District's efforts to restore grazing on District property for resource conservation, the General Manager recommends retaining a water rights engineering consultant to better map, quantify, and evaluate District water rights for domestic, stockwatering, and resource preservation purposes, and to ensure compliance with SWRCB regulatory requirements. An on-call technical expert/consultant is needed to assist with emerging water rights and infrastructure issues, including those that are currently arising more frequently in present drought conditions. This consultant would also assist with developing best practices and a recommend approach for the long-term management and

oversight of District water rights that span multiple in-house departments and district-wide operations.

In accordance with the Board and Administrative policies regarding selection of professional consultants, the District evaluated three proposals from Wagner & Bonsignore Engineers (Sacramento), Stetson Engineers (Marin), and BSK Associates (Fresno). WBE was selected as the most qualified consultant to serve the District's water resource consulting needs as described above, at a fair and reasonable price. WBE has vast experience in water rights reporting, mapping, and compliance with state law. In June 2014, WBE performed a separate limited-scope consulting project efficiently and competently for the District that involved the preparation and submittal of annual water usage reports to the SWRCB.

FISCAL IMPACT

As this work was unanticipated during preparation of the FY2014-15 Action Plan and Budget, the General Manager anticipates requesting a mid-year budget adjustment in December as part of the Midyear Budget Review to set aside sufficient additional funding for the water rights project. The Planning Department will act as the interim project lead until a determination is made on which department should act as permanent lead and carry the ongoing project budget for future years.

BOARD COMMITTEE REVIEW

Due to the time critical nature of this work and the need for timely responses to the SWRCB and San Gregorio Creek Watermaster, this item was not first presented to the Planning and Natural Resources Committee.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Retention of professional services to conduct evaluations, prepare documents, and assist with long-range planning and compliance with state water resources laws and regulations does not constitute a project under CEQA as it will not result in a direct physical change in the environment [CEQA Guidelines Section 15060(c)(2)].

NEXT STEPS

Finalize contract and initiate project work as soon as possible.

Responsible Department Head:
Jane F. Mark, AICP, Planning Manager

Prepared by:
Hilary Stevenson, Assistant General Counsel
Meredith Manning, Senior Planner

Contact person:
Meredith Manning, Senior Planner